



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 400
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/821,645

04/08/2004

Ralph E. Wesinger JR.

GRAPH-005COM

8998

28661 7590 05/25/2007
SIERRA PATENT GROUP, LTD.
1657 Hwy 395, Suite 202
Minden, NV 89423

EXAMINER

AHN, SANGWOO

ART UNIT

PAPER NUMBER

2166

MAIL DATE

DELIVERY MODE

05/25/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/821,645	WESINGER ET AL.	
	Examiner	Art Unit	
	Sangwoo Ahn	2166	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3 - 4, 9 - 12, 14 - 15 and 20 - 22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3 - 4, 9 - 12, 14 - 15 and 20 - 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Applicant's communication filed on 3/27/2007 has been entered.

Claims 1, 3 – 4, 9 – 12, 14 – 15 and 20 – 22 are pending in this Office Action.

Claims 1, 3, 12 and 14 have been amended.

Claims 2, 5 – 8, 13 and 16 – 19 have been canceled.

Response to Arguments

Applicant's arguments with respect to claims 1 and 12 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claim 12 is rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. For an apparatus to be physical object, at least one recited element must be hardware (for example, a computer-readable storage medium to store program instructions and a processor to execute instructions). If all elements would have been reasonably interpreted in light of the disclosure by one of ordinary skill as software alone, the claim is directed to software *per se* and is non-statutory.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2166

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 3 – 4, 9 – 12, 14 – 15 and 20 – 22 rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,870,552 issued to Dozier et al (hereinafter “Dozier”) in view of U.S. Patent Number 5,832,497 issued to Jeffrey C. Taylor (hereinafter “Taylor”).

Regarding claim 1, Dozier discloses,

A method for creating a personalized home page on a web site comprising:

presenting a entry page to a user for user entry of desired content into a web server, said web server including an associated database (Figure 10b, et seq.);

receiving said entry of desired content from said user (Figure 10b, column 3 lines 50 – 55, et seq.);

providing HTML front-ending tools for facilitating said user being able to add said desired content to the database and index the entry in a user-defined category using a web browser without the need for any additional software necessary to interact with said publicly accessible database (column 16 lines 41 – 44, column 7 lines 63 – 64: web browser is a software that allows a user to access and view HTML document, hence, the software in Dozier can be interpreted as a web browser, et seq.);

a user account including said desired content (Figures 10b and 10d, et seq.); and

creating a personalized home page including said desired content (Figure 8a and 8b, column 3 line 42, et seq.).

Dozier does not explicitly disclose,

associating user account on said web site with said home page, said account including desire content and an associated user ID and password.

However, Taylor discloses associating user account on said web site with said home page, said account including said desire content and an associated user ID and password (column 3 lines 61 – 62, column 4 lines 54 – 58, column 5 lines 40 – 41, et seq.). At the time of the present invention, it would have been obvious to a person of ordinary skill in the data processing art to combine the two references because Taylor's user account with desired content, user ID and password would have enabled Dozier's overall system to have security features that would specify who may access the contents. The combination would result in a secure system operable to lead a user through certain steps and parameters to a search/organization by categories.

Regarding claim 3, Dozier discloses said desired content include non-textual information (Figure 7, et seq.).

Regarding claim 4, Dozier discloses said non-textual information includes graphics (Figure 7, et seq.).

Regarding claim 9, Dozier discloses said account further includes personalized information (Figures 10b and 10d, et seq.).

Regarding claim 10, Dozier discloses said personalized information includes a URL to the user's homepage (Figures 10b and 10d, et seq.).

Regarding claim 11, Taylor discloses the act of password-protecting said account (column 3 lines 61 – 62, column 4 lines 54 – 58, column 5 lines 40 – 41, et seq.).

Art Unit: 2166

Claims 12, 14 – 15 and 20 – 22 are rejected based on the same rationale discussed in claims 1, 3 – 4 and 9 – 11 rejections.

Conclusion


Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sangwoo Ahn whose telephone number is (571) 272-5626. The examiner can normally be reached on M-F 10-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

5/17/2007 SW


MOHAMMAD ALI
PRIMARY EXAMINER

Patent Examiner Sangwoo Ahn
AU 2166